

United States Government Consultation on Environmental Issues Relating to the UN Human Rights Council Universal Periodic Review

Tuesday, October 7, 2014 8:30 am – 3:00 pm
295 Simon Hall- Warren Room
U.C. Berkeley School of Law

8:30-9:00 Registration and Continental Breakfast

**9:00-9:15 Welcome, Introductions, and Overview of UPR and Consultation
Process**

Sujit Choudhry, Dean, Berkeley Law

Julianna Bentes, Attorney-Advisor, U.S. Department of State, Office of
the Legal Adviser for Human Rights and Refugees

9:15-10:45 Panel 1 – UPR Recommendations and Climate Change

Moderator: Daniel Farber, Professor, Berkeley Law

Panelists: (maximum of 10 minutes each)

1 Jalonne White-Newsome, We ACT for Environmental Justice

2 Nile Malloy, Communities for a Better Environment

Participant Questions & Comments (maximum 2 minutes each)

Government Responses

10:45-11:00 Break

11:00-12:30 Panel 2 – Water Issues

Moderator: Michael Kiparsky, Wheeler Institute, Berkeley Law

Panelists: (maximum of 10 minutes each)

1 Omar Carrillo, Community Water Center

2 Chief Caleen Sisk, Winnemem Wintu Tribe

3 Colin Bailey, Environmental Justice Coalition for Water

#4 Patricia Jones, Unitarian Universalist Service Committee

Participant Questions & Comments (maximum 2 minutes each)

Government Responses

12:30-1:15

Lunch

1:15-2:45

Panel 3 – Environmental/Public Health Protection and Members of Vulnerable Communities

Moderator: Charlotte Smith, School of Public Health, UC Berkeley

Panelists: (maximum of 10 minutes each)

#1 Brent Newell, Center on Race, Poverty & the Environment

2 Phoebe Seaton, Leadership Counsel for Justice and Accountability

3 Diane Bailey, National Resources Defense Counsel

#4 Pearl Kan, California Rural Legal Assistance

Participant Questions & Comments (maximum 2 minutes each)

Government Responses

2:45-3:00

Closing Remarks and Adjournment

2010 UPR Recommendations Supported in Whole or in Part Issue Group 8: The Environment

- **Recommendation 51**—Comply with its international obligations for the effective mitigation of greenhouse gas emissions, because of their impact in climate change.
- **Recommendation 221**—Take positive steps in regard to climate change, by assuming the responsibilities arising from capitalism that have generated major natural disasters particularly in the most impoverished countries.
- **Recommendation 222**—Implement the necessary reforms to reduce their greenhouse gas emissions and cooperate with the international community to mitigate threats against human rights resulting from climate change.

United States General Comments on the UPR Recommendations Supported in Whole or in Part

“Some recommendations ask the United States to achieve an ideal, e.g., end discrimination or police brutality, and others request action not entirely under the control of our Federal Executive Branch, e.g., adopt legislation, ratify particular treaties, or take action at the state level. Such recommendations enjoy our support, or our support in part, when we share the ideal that the recommendations express, are making serious efforts toward achieving their goals, and intend to continue to do so. Nonetheless, we recognize, realistically, that the United States may never completely accomplish what is described in the literal terms of the recommendation. We are also comfortable supporting a recommendation to do something that we already do, and intend to continue doing, without in any way implying that we agree with a recommendation that understates the success of our ongoing efforts.

Some countries added to their recommendations inaccurate assumptions, assertions, or factual predicates, some of which are contrary to the spirit of the UPR. In such cases, we have decided whether we support a recommendation by looking past the rhetoric to the specific action or objective being proposed. When we say we “support in part” such recommendations, we mean that we support the proposed action or objective but reject the often provocative assumption or assertion embedded in the recommendation.”

United States Comments on the UPR Recommendations Supported in Whole or in Part related to the Environment

“We disagree with premises embedded in these recommendations, but agree with their essential objectives (reduce greenhouse gas emissions and cooperate internationally).”

Full text available at <http://www.state.gov/j/drl/upr/recommendations/index.htm>.